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REMARKS

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I.   Status of Application

By this Amendment, Applicant adds new claims 17 and 18. Thus, claims 1-18 are now

pending in the application. Claims 1-16 stand rejected.

II.   Claim Rejections Under 35 U.S.C. 103

Claims 1, 2, 4, 5, 7-10, 12, 13, 15, and 16[1] are rejected under 35 U.S.C. 103(a) as allegedly

being unpatentable over Soundararajan (US Pub No 2003/0084448) in view of Applicants' Admitted

Prior Art (AAPA), and further in view of Yuen et al. (US Patent No 5,488,409), hereinafter "Yuen."

Applicants respectfully traverse the rejection and request reconsideration.

Regarding the rejection of independent claim 1, Applicants respectfully submit that claim 1 is

patentable because each and every element is not disclosed or suggested by Soundararajan in view of

AAPA and Yuen.

Claim 1 recites (**emphasis added**):

> An apparatus for dynamically managing a user's favorite channels,
> the apparatus comprising:
>
> a user input unit receiving a channel change input from the user;
>
> a channel list storage unit storing an entire channel list comprising
> channels receivable using a tuner and channel preference information
> regarding the user's preference degrees for channels;

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[1] While on page 3 of the Office Action, the Examiner only indicates claims 1-2, 8-10 and 16 as being
rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Soundararajan in view of AAPA,
and further in view of Yuen, it appears that this indication is in err, as the Examiner substantively
rejects all of claims 1, 2, 4, 5, 7-10, 12, 13, 15, and 16 in view of this combination of references.
Therefore, appropriate correction is respectfully requested.

> **a control unit calculating a preference degree for a channel
> selected in response to the channel change input** received by the
> user input unit and analyzing a pattern of channel change inputs; and
>
> an output unit providing content of the selected channel according to
> calculation and analysis results of the control unit,
>
> **wherein the control unit provides the content of the selected
> channel through the output unit <u>in response to the channel
> change input</u> if the calculated preference degree for the selected
> channel satisfies a predetermined reference,** and the control unit
> provides the content of the selected channel through the output unit if
> the calculated degree for the selected channel does not satisfy the
> predetermined reference and a predetermined pattern of channel
> change inputs is received by the user input unit,
>
> wherein the predetermined pattern of channel change inputs makes
> possible movement to a channel that does not satisfy the channel
> preference degree.

For example, Soundararajan in view of AAPA and Yuen does not disclose or suggest a

control unit, <u>in response to a channel change input</u>, calculating a preference degree for a selected

channel <u>and</u> providing the content of the selected channel through the output unit if the calculated

preference degree for the selected channel satisfies a predetermined reference, in combination with

other elements of the claim.

On page 3 of the Office Action, the Examiner appears to take the position that the calculating

of weights and determination of a channel control list illustrated in FIG. 3 of Soundararajan allegedly

corresponds to the claimed calculating a preference degree of claim 1. Furthermore, on page 4 of the

Office Action, the Examiner appears to take the position that the tuning of channels included in the

channel control list, as disclosed in paragraph [0040] of Soundararajan, allegedly corresponds to the

claimed providing of content of the selected channel of claim 1. Applicants respectfully disagree.

In particular, while claim 1 recites the control unit performing both the calculating and the providing in response to the channel change input, Soundararajan does not calculate a preference degree when a channel is selected in order to determine whether to tune to that channel. Rather, according to Soundararajan, a channel is tuned to whenever the channel is selected, without any calculating of a preference degree in response to the selection in order to determine whether to tune to the channel in response to the selection (paragraphs [0036] - [0040]).

That is, Soundararajan calculates a weight of a given channel after the channel is tuned to in response to a selection, and not to determine whether to tune to the channel in response to the same selection. Based on the calculated weights, Soundararajan separately compiles a channel control list that contains only preferred channels based on the calculated weights. Accordingly, and at a later time (i.e., after the weights have been calculated and the channel control list has been created according thereto), a user can only select between those channels included in the list. However, in response to selecting a channel included in the list, no calculation of the selected channel's weight is made in order to determine whether to tune to that channel in response to the selecting. Rather, according to Soundararajan, by virtue of being included in the predetermined list, the channel is automatically tuned to in response to the user's selection (paragraphs [0036] – [0040]). That is, while the present claim recites calculating a preference degree of a selected channel to determine whether to provide content of the selected channel, Soundararajan teaches calculating a weight of a channel while the content of the channel is provided in order to determine whether to include the tuned channel in a channel control list. Soundararajan does not suggest a dynamic determination of whether to tune to the channel. Rather, Soundararajan uses a pre-determined channel control list to automatically tune to the channel when selected.

As AAPA and Yuen do not cure these deficiencies of Soundararajan, it is respectfully submitted that Soundararajan in view of AAPA and Yuen does not disclose or suggest a control unit, in response to a channel change input, calculating a preference degree for a channel selected and providing the content of the selected channel through the output unit if the calculated preference degree for the selected channel satisfies a predetermined reference, as recited *inter alia* in claim 1.

Accordingly, Applicant respectfully submits that claim 1 is patentable over Soundararajan in view of AAPA and Yuen because the combined references do not teach each and every element of claim 1.

Regarding the rejection of claims 2, 4, 5, 7, and 8, it is submitted that these claims depend from claim 1 and are, therefore, patentable for at least the reasons set forth above.

Regarding the rejection of independent claim 9, it is submitted that claim 9 is patentable for at least reasons similar to those provided above with reference to claim 1.

Regarding the rejection of claims 10, 12, 13, 15, and 16, it is submitted that these claims depend from claim 9 and are, therefore, patentable for at least the reasons set forth above.

Claims 3 and 11 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Soundararajan, AAPA and Yuen as applied to claim 2 above, and further in view of Wugofski et al. (US Pub No 2003/0056216), hereinafter "Wugofski." Applicants respectfully traverse the rejection and request reconsideration.

Applicant submits that Wugolfski in combination with Soundararajan, AAPA, and Yuen does not cure the deficiencies of the combination of Soundararajan, AAPA, and Yuen discussed above with respect to claims 1 and 9. Therefore, Applicant submits that claims 3 and 11 are patentable at least by virtue of their dependencies.

Claims 6 and 14 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Soundararajan, AAPA and Yuen as applied to claim 1 above, and further in view of Taylor (US Pub No 2005/0278648). Applicants respectfully traverse the rejection and request reconsideration.

Applicant submits that Taylor in combination with Soundararajan, AAPA, and Yuen does not cure the deficiencies of the combination of Soundararajan, AAPA, and Yuen discussed above with respect to claims 1 and 9. Therefore, Applicant submits that claims 6 and 14 are patentable at least by virtue of their dependencies.

III.   New Claims 17 and 18

By this Amendment, Applicant adds new claims 17 and 18 to claim additional features of the present invention which are not disclosed by the cited references. New claims 17 and 18 depend from claim 1 and are therefore allowable for at least the reasons set forth above. Furthermore, it is submitted that none of the above-cited references, either alone or in combination. teach the additional features recited in newly added claims 17 and 18. In fact, Soundararajan teaches away from a channel selected with reference to an entire channel list (as recited *inter alia* in claim 18), since such a selection with reference to an entire channel list does not "effect ease of use" (see paragraph [0041]). Moreover, any modification of Soundararajan to suggest a channel selection with reference to an entire channel list would quite clearly frustrate the very purpose of Soundararajan, which overcomes an alleged problem in the prior art by which "an inordinate amount of time" is spent surfing channels (paragraph [0004]) by providing sub-lists of preferred channels to scroll.

IV.   Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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Respectfully submitted,

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